

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GETTY IMAGES (US), INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 23-135 (GBW)
)	
STABILITY AI, LTD. and STABILITY AI,)	
INC.,)	
)	
Defendants.)	

**STIPULATION AND [PROPOSED] ORDER REGARDING
JURISDICTIONAL DISCOVERY AND MOTION TO DISMISS BRIEFING**

WHEREAS, on May 2, 2023, Defendants filed a Motion to Dismiss or Transfer this Action (D.I. 16, the “Motion”) arguing, *inter alia*, a lack of personal jurisdiction over Defendant Stability AI, Ltd.;

WHEREAS, Plaintiff’s answering brief in opposition to the Motion is presently due on or before June 16, 2023 (D.I. 15);

WHEREAS, on May 12, 2023, Plaintiff served Jurisdictional Interrogatories and Jurisdictional Requests for the Production of Documents on each of the Defendants (D.I. 20);

WHEREAS, Defendants contend that (i) this Court lacks personal jurisdiction over Stability AI, Ltd.; (ii) Plaintiff has failed to make a *prima facie* showing that this Court can exercise personal jurisdiction over Defendant Stability AI, Ltd.; and (iii) Defendants should not be obligated to respond to jurisdictional discovery; and

WHEREAS, the parties have conferred and, without waiver of Defendants’ rights to object to the appropriateness and/or scope of jurisdictional discovery requested by Plaintiff, they have agreed on a revised schedule for briefing on the Motion to provide the necessary time for agreed-

upon jurisdictional discovery and/or for Court resolution of any dispute(s) regarding such discovery;

NOW, THEREFORE, it is hereby stipulated by the parties, subject to the approval of the Court, that:

1. Defendant Stability AI, Ltd.'s participation in discussions with Plaintiff concerning jurisdictional discovery, execution of this Stipulation and participation in jurisdictional discovery (including the provision of documents and responses) does not convey personal jurisdiction on this Court if it does not otherwise exist and does not constitute a waiver of or otherwise prejudice Defendant Stability AI, Ltd.'s on-going right to contest personal jurisdiction.

2. Subject to any outstanding motions to compel, the parties shall complete any and all jurisdictional discovery on or before July 21, 2023.

- a. Defendants shall serve written objections and responses to Plaintiff's jurisdictional discovery requests on or before June 19, 2023, and shall commence rolling production of responsive documents thereafter.
- b. Subject to any objections, Defendants shall complete document production and interrogatory responses in response to Plaintiffs jurisdictional document requests on or before July 7, 2023.
- c. Any agreed-upon depositions shall occur on or before July 21, 2023. Depositions shall be taken on reasonable notice, and the parties shall work together in good faith on scheduling of depositions.
- d. After compliance with all discovery meet and confer requirements, any discovery-related dispute(s) based on Defendants' objections and/or responses

shall be brought to the Court's attention in accordance with the Court's discovery dispute-related procedures.

3. The time for Plaintiff to file an answering brief in opposition to the Motion is extended through and including July 31, 2023. If jurisdictional discovery is not completed by July 21 as a result of motion practice, the parties shall meet and confer in good faith on a revised due date for Plaintiff's answering brief.

4. The time for Defendants to file a reply brief in further support of the Motion is extended through and including the later of August 21, 2023, and twenty-one (21) days after Plaintiff files its answering brief.

YOUNG CONAWAY STARGATT & TAYLOR, LLP
/s/ Robert M. Vrana

Tammy L. Mercer (#4957)
Robert M. Vrana (#5666)
1000 North King Street
Wilmington, DE 19801
(302) 571-6600
tmerc@ycst.com
rvrana@ycst.com

OF COUNSEL:

WEIL, GOTSHAL & MANGES LLP
Benjamin E. Marks
Jared R. Friedmann
Melissa Rutman
767 Fifth Avenue
New York, New York 10153
(212) 310-8000

Attorneys for Plaintiff

June 7, 2023

MORRIS, NICHOLS, ARSHT & TUNNELL LLP
/s/ Michael J. Flynn

Jack B. Blumenfeld (#1014)
Michael J. Flynn (#5333)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@morrisnichols.com
mflynn@morrisnichols.com

OF COUNSEL:

FRIED FRANK HARRIS SHRIVER & JACOBSON LLP
Nicole M. Jantzi
Paul M. Schoenhard
801 17th Street NW
Washington, DC 20006
(202) 639-7000

FRIED FRANK HARRIS SHRIVER & JACOBSON LLP
Amir Ghavi
Michael Keats
One New York Plaza
New York, NY 10004
(212) 859-8000

Attorneys for Defendants

SO ORDERED this _____ day of June, 2023.

United States District Judge

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